

equally divided among his two sons, and appoints his said wife his executrix, to whom letters testamentary on his personal estate were duly granted.

On the 7th of October, 1844, James T., Henrietta M. and Benjamin O. Conner, and Thomas E. D. Poole as administrator of the deceased children, Emma and Harriet Conner, filed their bill against Laura Bevans, John T. Bevans, William C. Ogle, surviving husband of Mary R. Bevans, Anna M. Ogle, executrix of Benjamin Ogle, and the two sons and devisees of said Benjamin Ogle, and Dr. John Ridout, for an account and distribution of the estate of the deceased Henry Margaret Ogle.

This bill, after setting out the will of Mrs. Ogle, and the proceedings thereunder as above stated, exhibits the accounts of Benjamin Ogle as executor, and charges that it appears by them that there is due by said executor to the personal estate of the deceased the sum of \$11,513 84. It then avers that these accounts contain many improper and illegal allowances, and in illustration thereof, states that in the first account the executor is allowed for advances made to Mrs. Bevans, then Conner, and her children \$620 90 out of the principal of the estate, whereas no part of said principal was authorized by the will so to be paid or expended for the said Mary or her children, but only the rents, profits, interest or dividends thereof. It also charges that large sums of money, in principal and interest and guarantees of personal property, were received by the executor, belonging to the said personal estate, which have not been accounted for by him, or have been illegally and contrary to the directions of the said will, misapplied.

That Benjamin Ogle and others, having charge of the property, have wholly neglected the directions of the will as to the support, maintenance and education of the children of said Mary, no part of the same having ever been expended in the maintenance or education of the children of said Mary by Conner, but all aid or assistance to them has been positively and continually refused by the said Benjamin Ogle. That he